

Docket No.: 614.1907

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kazuhiro TOMIZAWA

Serial No. 09/122,740

Group Art Unit: 2771

Filed: July 27, 1998

Examiner: Fleurantin, J.

For: APPLICATION MANAGING METHOD AND INFORMATION PROCESSING
APPARATUS USING THE METHOD**FAX RECEIVED**

MAY 31 2002

DECLARATION OF VICTOR DEL RIO

Technology Center 2100

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I am the Manager of the Docketing Department of the firm of Staas & Halsey LLP, Customer No. 21,171 and have held that position since July 1997.

Official U.S. mail received by the firm is processed by the Mail Room and the Docketing Department. A clerk in the Mail Room opens the mail and forwards all USPTO mail to the Docketing Department. Personnel in the Docketing Department then date stamp the USPTO mail and input the data from each item of the USPTO mail into the firm's computerized docketing system.

Once the USPTO mail is docketed, it is returned to the clerks in the Mail Room who, in turn, make copies thereof and match same to the respective files. The files along with the attached USPTO mail are then put into the mail box of the attorney responsible for that specific matter.

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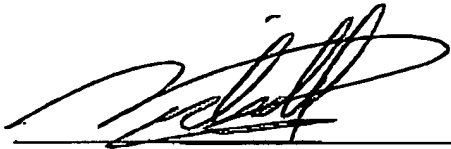
Due dates for actions to be taken on USPTO matters are then transmitted to each attorney and secretary, both by hard copy printouts on a monthly basis and additionally by e-mail on a daily basis.

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Attached hereto as Exhibit A is a copy of a printout of docket entries for the subject application, which reflects that no Office Action dated June 16, 2000, was ever received. On the bottom of page 1 and the of page 2 is indicated all of the actions received by the USPTO.

Thus, I hereby declare that no first Office Action was ever received by us. Since it was not received by us and all mail comes directly to the docketing department, it is of course not possible that any of the attorneys could have seen the Office Action in question.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and, further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Victor Del Rio, Docketing Manager

5-29-02

Date